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2826



Attorney Docket SEL 174

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Application of )  
)  
Yamazaki et al. )  
)  
Serial No.: 09/544,801 )  
)  
Filed: April 7, 2000 )  
)  
For: Semiconductor Device And Method )  
For Fabricating The Same )  
)  
Art Unit: 2826 )  
)  
Examiner: Fazli Erdem )

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Shannon Wallace 1/26/06  
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Commissioner for Patents  
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Alexandria, VA 22313-1450

**RESPONSE (F) TO OFFICE ACTION**

Sir:

Applicants have the following response to the Office Action dated November 4, 2005 in the above-identified application:

Previously, the Examiner had allowed Claims 10-14, 16-23, 25-27 and 80-83, while only rejecting Claims 68-71 and 76-79 provisionally under the judicially created doctrine of obviousness-type double patenting. The double patenting rejection was overcome in the last amendment.

The Examiner, however, now has the following rejection.